

SECOND REGULAR SESSION

SENATE BILL NO. 828

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SIFTON.

Pre-filed December 21, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5409S.011

AN ACT

To repeal section 327.272, RSMo, and to enact in lieu thereof one new section relating to the preparation of property descriptions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 327.272, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 327.272, to read as follows:

327.272. 1. A professional land surveyor shall include any person who
2 practices in Missouri as a professional land surveyor who uses the title of
3 "surveyor" alone or in combination with any other word or words including, but
4 not limited to "registered", "professional" or "land" indicating or implying that the
5 person is or holds himself or herself out to be a professional land surveyor who
6 by word or words, letters, figures, degrees, titles or other descriptions indicates
7 or implies that the person is a professional land surveyor or is willing or able to
8 practice professional land surveying or who renders or offers to render, or holds
9 himself or herself out as willing or able to render, or perform any service or work,
10 the adequate performance of which involves the special knowledge and
11 application of the principles of land surveying, mathematics, the related physical
12 and applied sciences, and the relevant requirements of law, all of which are
13 acquired by education, training, experience and examination, that affect real
14 property rights on, under or above the land and which service or work involves:

15 (1) The determination, location, relocation, establishment,
16 reestablishment, layout, or retracing of land boundaries and positions of the
17 United States Public Land Survey System;

18 (2) The monumentation of land boundaries, land boundary corners and
19 corners of the United States Public Land Survey System;

20 (3) The subdivision of land into smaller tracts and preparation of property

21 descriptions;

22 (4) The survey and location of rights-of-way and easements;

23 (5) Creating, preparing, or modifying electronic or computerized data
24 relative to the performance of the activities in subdivisions (1) to (4) of this
25 subsection;

26 (6) Consultation, investigation, design surveys, evaluation, planning,
27 design and execution of surveys;

28 (7) The preparation of any drawings showing the shape, location,
29 dimensions or area of tracts of land;

30 (8) Monumentation of geodetic control and the determination of their
31 horizontal and vertical positions;

32 (9) Establishment of state plane coordinates;

33 (10) Topographic surveys and the determination of the horizontal and
34 vertical location of any physical features on, under or above the land;

35 (11) The preparation of plats, maps or other drawings showing elevations
36 and the locations of improvements and the measurement and preparation of
37 drawings showing existing improvements after construction;

38 (12) Layout of proposed improvements;

39 (13) The determination of azimuths by astronomic observations.

40 2. None of the specific duties listed in subdivisions (4) to (13) of subsection
41 1 of this section are exclusive to professional land surveyors unless they affect
42 real property rights. For the purposes of this section, the term "real property
43 rights" means a recordable interest in real estate as it affects the location of land
44 boundary lines. The validity of any document prepared between August 27, 2014,
45 and August 28, 2015, by a provider of utility or communications services
46 purporting to affect real property rights shall remain valid and enforceable
47 notwithstanding that any legal description contained therein was not prepared
48 by a professional land surveyor.

49 3. Professional land surveyors shall be in responsible charge of all
50 drawings, maps, surveys, and other work product that can affect the health,
51 safety, and welfare of the public within their scope of practice.

52 4. Nothing in this section shall be construed to preclude the practice of
53 architecture or professional engineering or professional landscape architecture as
54 provided in sections 327.091, 327.181, and 327.600.

55 **5. Nothing in this section shall preclude a licensed attorney in**
56 **this state or a licensed title insurance company, agent, or agency from**

57 **preparing maps or other drawings, conducting investigations into real**
58 **estate titles and descriptions, and preparing land descriptions or legal**
59 **descriptions for their clients or customers.**

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